

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
 :
WENDI VAN TILBURG, :
 :
 Plaintiff, :
 :
 -against- :
 :
BMG COLUMBIA HOUSE, INC., and :
STEWART GOLDFARB, IN HIS :
INDIVIDUAL AND OFFICIAL :
CAPACITY, :
 :
 Defendants. :
 -----X

SHIRA A. SCHEINDLIN, U.S.D.J.:

The parties having notified the Court that they have reached a resolution of this action, IT IS HEREBY ORDERED that the above captioned action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that within thirty (30) days of the date of this Order, counsel for either side may apply by letter for restoration of the action to the calendar of the undersigned if the settlement is not effected, in which event the action will be restored.

The Clerk of the Court is directed to close this case.

USDC SDNY
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**ORDER OF
DISCONTINUANCE**

09 Civ. 4805 (SAS)

SO ORDERED


Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
October 5, 2009

- Appearances -

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